

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 207**

FINAL READING

Introduced by Avery, 28.

Read first time January 12, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Department of Administrative Services;  
2 to amend sections 72-2101, 72-2105, and 81-1108.17,  
3 Reissue Revised Statutes of Nebraska; to change  
4 provisions relating to the annual inspection of the  
5 Governor's residence; to provide for the leasing of state  
6 property to private entities as prescribed; to eliminate  
7 obsolete language relating to housing for the Nebraska  
8 Library Commission; to repeal the original sections; and  
9 to outright repeal section 81-1108.40, Reissue Revised  
10 Statutes of Nebraska.  
11 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 72-2101, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           72-2101 The Governor's Residence Advisory Commission  
4 is created. The commission shall conduct an annual inspection  
5 of the Governor's residence, ~~in June of each year.~~ A report  
6 on the inspection shall be submitted to the Governor within  
7 thirty days after the day of the inspection. The report  
8 shall include recommendations for major maintenance or repair  
9 projects, if needed. Implementation and priority of an approved  
10 major maintenance or repair project shall be determined by the  
11 Governor in cooperation with the Director of Administrative  
12 Services. Additionally, no changes, additions, deletions, or other  
13 alterations to the residence, including its exterior, interior,  
14 decorative objects, contents, or grounds shall be made without the  
15 prior approval of the commission, except for the Governor's private  
16 living quarters located on the second floor of the residence.

17           Sec. 2. Section 72-2105, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19           72-2105 The Governor's Residence Advisory Commission  
20 shall meet at the direction of the chairperson of the commission.  
21 At least one meeting shall be held after the annual ~~June~~  
22 inspection. A simple majority of the commission shall constitute a  
23 quorum for the transaction of business.

24           Sec. 3. Section 81-1108.17, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

1                   81-1108.17 (1) The Department of Administrative Services  
2 shall be the custodian of the state laboratory and laboratory  
3 grounds, the Governor's Mansion and grounds, and all other  
4 buildings and lands owned or leased by the State of Nebraska except  
5 as exempted under subsections (5) and (6) of section 81-1108.15  
6 or as provided in the Nebraska State Capitol Preservation and  
7 Restoration Act.

8                   (2) To aid in the performance of his or her duties, the  
9 Director of Administrative Services shall appoint an administrator.  
10 The administrator, under the direction of the director, shall have  
11 complete control and all powers necessary to properly maintain the  
12 state laboratory and laboratory grounds, the Governor's Mansion and  
13 grounds, and all other buildings and lands owned or leased by the  
14 State of Nebraska except as exempted under subsections (5) and (6)  
15 of section 81-1108.15 or as provided in the Nebraska State Capitol  
16 Preservation and Restoration Act.

17                   (3) Except as provided in the act, the administrator,  
18 under the direction of the director, is authorized to (a) lease  
19 space or provide facilities for the parking of state officers' and  
20 employees' vehicles as well as state-owned vehicles, (b) lease,  
21 rent, or permit for use as apartments, dwellings, offices, and  
22 parking areas any or all of the property acquired for parking or  
23 for future building needs, and (c) lease state property to the  
24 federal government or political subdivisions of the state using the  
25 system of charges in subsection (4) of this section, and (d) lease

1 state property to a private entity to provide services necessary  
2 for state operations or for the convenience of state officers and  
3 employees when the space is not needed for public use. All leases  
4 shall contain the provision that upon notice that such property  
5 is needed for public use, the use or occupancy of the property  
6 shall cease. All money received as rent from any property acquired  
7 shall be remitted to the State Treasurer and credited to the State  
8 Building Revolving Fund, except that receipts from parking charges  
9 for employee, public, and state vehicle parking shall be credited  
10 to the Capitol Buildings Parking Revolving Fund, which fund is  
11 hereby created, for the purposes of providing and maintaining  
12 parking for state employees and visitors.

13 (4) The system of charges for state buildings and  
14 facilities shall include an amount sufficient to (a) accurately  
15 reflect operating costs, including routine maintenance and repair  
16 costs, and (b) fund building renewal projects under the Deferred  
17 Building Renewal Act and renovation, remodeling, and repair  
18 projects beyond the scope of the act. The proceeds received  
19 under subdivision (a) of this subsection shall be remitted to the  
20 State Treasurer for credit to the State Building Revolving Fund.  
21 The proceeds received under subdivision (b) of this subsection  
22 shall be remitted to the State Treasurer for credit to the State  
23 Building Renewal Assessment Fund. The administrator shall develop  
24 a system of equitable billings and charges for parking facilities  
25 under his or her control and used by state employees and state

1 vehicles. The system of charges shall include an amount sufficient  
2 to cover the operating, maintenance, and repair costs associated  
3 with the parking facilities. The administrator, under policies and  
4 procedures established by the Director of Administrative Services,  
5 may expend funds from time to time credited to the Capitol  
6 Buildings Parking Revolving Fund for the purposes of obtaining,  
7 operating, and maintaining parking facilities for employees and  
8 visitors. All money derived from any source other than that to  
9 be credited to the State Building Revolving Fund, the Capitol  
10 Buildings Parking Revolving Fund, the Department of Administrative  
11 Services Cash Fund, the State Building Renewal Assessment Fund, or  
12 other appropriate revolving fund shall be remitted to the State  
13 Treasurer and credited to the General Fund.

14 (5) The administrator shall see that all parts and  
15 apartments of the buildings leased are properly ventilated and kept  
16 clean and in order.

17 (6) The administrator shall at all times have charge  
18 of and supervision over the police, janitors, and other employees  
19 in and about the state laboratory and laboratory grounds, the  
20 Governor's Mansion and grounds, and all other buildings and lands  
21 owned or leased by the State of Nebraska except as exempted under  
22 subsections (5) and (6) of section 81-1108.15 or as provided in  
23 the Nebraska State Capitol Preservation and Restoration Act. The  
24 administrator shall institute, in the name of the state and with  
25 the advice of the Attorney General, civil and criminal proceedings

1 against any person for injury or threatened injury to any public  
2 property in the state laboratory and laboratory grounds, the  
3 Governor's Mansion and grounds, and all other buildings and lands  
4 owned or leased by the State of Nebraska under his or her control,  
5 or for committing or threatening to commit a nuisance in or on the  
6 buildings or lands.

7 (7) The administrator shall keep in his or her office  
8 a complete record containing all plans and surveys of the state  
9 laboratory and grounds, the Governor's Mansion and grounds, and all  
10 other buildings and lands owned or leased by the State of Nebraska  
11 and of underground construction under such buildings and lands.  
12 This subsection shall not apply to the State Capitol and capitol  
13 grounds.

14 Sec. 4. Original sections 72-2101, 72-2105, and  
15 81-1108.17, Reissue Revised Statutes of Nebraska, are repealed.

16 Sec. 5. The following section is outright repealed:  
17 Section 81-1108.40, Reissue Revised Statutes of Nebraska.